

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

CHRISTOPHER B. BARKSDALE,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:22-cv-00034-LCB-NAD
)	
SHERIFF JIMMY KILGORE,)	
)	
Respondent.)	

MEMORANDUM OPINION

The magistrate judge filed a report on January 17, 2023, recommending that this petition for habeas corpus relief, filed pursuant to 28 U.S.C. § 2241, be dismissed without prejudice as moot. Doc. 20. Although the parties were advised of their rights to file objections to the report and recommendation within 14 days, no objections have received by the court and the time limitation for filing has expired.

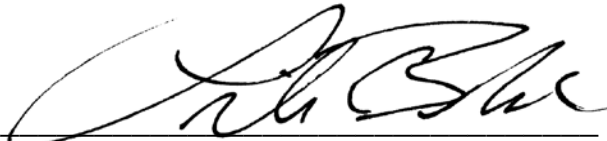
After a *de novo* consideration of the entire file in this action, including the report and recommendation, the court **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation. The court finds that the petition for writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE** as moot.

Further, because the petition does not present issues that are debatable among jurists of reason and does not make a substantial showing of the denial of a constitutional right, a certificate of appealability is due to be **DENIED**. See 28

U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 11(a),
Rules Governing § 2254 Proceedings.

A separate Final Judgment will be entered.

DONE and **ORDERED** February 15, 2023.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE